

**Minutes
Bar Harbor Planning Board
June 11, 2008**

Members present: Kay Stevens-Rosa, Chair; Kevin Cochary, Secretary; Lynne Williams; Dave Bowden

Also present: Anne Krieg, Town Planner; Kris Hultgren, Staff Planner

I. CALL TO ORDER — 4:32 p.m.

II. EXCUSED ABSENCES

Ms. Williams made a motion to excuse Mr. Gurtler from the meeting. Mr. Bowden seconded and the Board voted unanimously to approve the motion.

III. ADOPTION OF THE AGENDA

Mr. Cochary made a motion to adopt the agenda. Mr. Bowden seconded and the Board voted unanimously to approve the motion.

IV. REGULAR BUSINESS

V. OTHER BUSINESS

A. Land Use Ordinance Updates

▪ **Planned Unit Development**

Ms. Krieg updated the Board on the changes to the PUD-O ordinance since the Board last met on June 4.

Mr. Cochary asked for clarification of how the terms “and” and “or” are applied in section 125-69 (M)(1)(b)(2) . The Board decided to add both “and” and “or” to that section of the PUD-O ordinance.

Mr. Cochary asked for some clarification about the open space dedication. The Board discussed the allocation.

Mr. Bowden asked that if an affordable housing committee is formed it is analyzed within the confines of the PUD-O ordinance. Other members agreed.

Mike Siklosi, speaking as a resident of Bar Harbor and not representing the Island Housing Trust, mentioned that the document is a good document and offered suggestions about how to deal with improvements to affordable homes. He also commented about trying to attract the families the town wants like younger families and target the changes to that goal. He also urged the Board to use the median state income to determine affordability instead of Hancock County median income.

Mr. Victor, a resident of Bar Harbor, commented about affordable housing and asked the Board to consider senior citizens when discussing housing affordability.

Mr. Bowden made a motion to accept the changes that were made to the PUD-O ordinance in the updated version and include the addition of the word “and” in section 125-68 (M)(1)(b)(2) and change the limit of marginal land allowed in the aggregate back to 50% as it currently exists. Ms. Williams seconded and the Board voted unanimously to approve the motion.

- Wireless Communication Facilities

Ms. Williams noted that she does not believe that 1,500 feet is an adequate setback to schools. She also expressed concern with the exemption that allows wireless facilities into existing building without Planning Board approval.

Mr. Williams made a motion to table the proposed changes until a more comprehensive review of the ordinance can be undertaken. The motion failed without a second.

The Board discussed making changes to the ordinance as proposed or waiting until more time can be dedicated to reviewing changes.

Mr. Cochary made a motion to make the changes to the ordinance previously discussed by the Board and keep working to make further changes. Ms. Williams seconded and the Board voted unanimously to approve the motion.

- Dark Sky Lighting Ordinance

The Board discussed the proposed changes.

Mr. Bowden mentioned the costs to the town with adopting the dark sky ordinance.

The Board discussed mandating the change of lighting to dark sky friendly fixtures in 10 years. Williams asked if the sunset clause could be separated from the dark sky ordinance. Ms. Krieg said she would look into the matter. Mr. Cochary noted he favors separating the sunset provision if possible.

Rebecca Wainer, a member of Dark Sky International, noted that the fear from businesses about having to comply with this new ordinance is justified because of the rewiring that must take place and the costs associated with the rewiring.

Pat Samuel, a resident of Bar Harbor, spoke in favor of the ordinance and the sunset clause and encouraged the town to be diligent about enforcement.

Gerald Rodick, a resident of Bar Harbor, spoke against the ordinance and noted that more light should be the priority of the town to discourage thieves.

Jill Webber spoke about the various impacts on the town created by this ordinance.

John Hanscom, an electrician, spoke about the pros and cons of the proposed ordinance.

Mr. Bowden noted that the ordinance would likely pass overwhelmingly without the sunset clause provision.

Mr. Cochary made a motion to separate the sunset clause and present two Orders to the Town Council. Mr. Bowden seconded and the Board voted unanimously to approve the motion.

Mr. Cochary made a motion to recommend the Lighting Ordinance to the Town Council as written if the sunset clause cannot be voted on separately. Ms. Williams seconded and the Board voted 3-1 to approve the motion with Mr. Bowden voting no.

VI. PLANNING DIRECTOR'S REPORT

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

VIII. ADJOURNMENT – 5:55 p.m.

Ms. Williams made a motion to adjourn. Mr. Cochary seconded and the Board voted unanimously to approve the motion.

Signed as approved:

Kevin Cochary, Secretary
Planning Board, Town of Bar Harbor

Date